

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

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UNITED STATES OF AMERICA

v.

Doc. No. 22-cr-58

SERHAT GUMRUKCU,
BERK ERATAY, and
JERRY BANKS,
Defendants.

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**UNOPPOSED MOTION TO POSTPONE THE MOTIONS DEADLINE AND
TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT
FOR A PERIOD OF APPROXIMATELY THREE MONTHS**

Dr. Serhat Gumrukcu, by and through his counsel, David V. Kirby of O'Connor & Kirby, P.C., moves this Court to postpone the motions deadline until March 30, 2023 and to enter an exclusion of time from calculations under the Speedy Trial Act to allow time for the defense to obtain and review the massive discovery in this case. The government supports these requests.¹ This motion is joined by Mr. Katims for Mr. Eratay.

Argument

The parties are presently proceeding with discovery in this case. The government indicates that the discovery is approximately 20 terabytes. This is a

¹ The government, however, objects to our use of the “Dr.” appellation for Dr. Gumrukcu.

massive amount of information. Defense counsel have not yet received all of this discovery. It is unclear whether counsel can even review all of the discovery by March 30, 2023, but that provides an appropriate date for considering the status of the case.

Conclusion

The defense requests that the Court enter an order postponing the Motions Deadline to March 30, 2023, and excluding the time between December 29, 2022 and March 30, 2023 from the running of the Speedy-Trial clock to allow defense counsel to obtain and review discovery.

Dated: December 29, 2022
Pound Ridge, New York

Respectfully submitted,

David V. Kirby

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